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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
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6 INTAGIO CORPORATION,

7 Plaintiff(s),

No. C 06-3592 PJH

8 v.

ORDER OF DISMISSAL

9 TIGER OAK PUBLICATIONS INC.,
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11 Defendant(s).
12 _____/

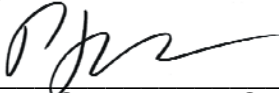
13 Counsel for both parties, having advised the court that the parties have agreed to a
14 settlement of this cause, and having submitted an executed copy of the letter agreement
15 which according to its terms is fully enforceable, IT IS HEREBY ORDERED that this cause
16 of action is dismissed **without** prejudice; provided, however that if any party hereto shall
17 certify to this court, within thirty (30) days, with proof of service thereof, that the agreed
18 consideration for said settlement has not been delivered over, the foregoing order shall
19 stand vacated and this cause shall forthwith be restored to the calendar for further
20 proceedings.

21 The parties may substitute a dismissal **with** prejudice simply by submitting a
22 stipulation and order for dismissal with prejudice within thirty (30) days.

23 The March 3, 2008 date for trial is VACATED.

24 IT IS SO ORDERED.

25 Dated: February 29, 2008

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PHYLLIS J. HAMILTON
United States District Judge
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